

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-3, 6-10, 12, 16-18, 21-26, and 28-36 are pending in the application, with claims 1, 16, 29, 35, and 36 being the independent claims. Claims 1, 16, 21-24, 29, 35, and 36 are sought to be amended. Claims 4, 5, 11, 19, 20, 27, 37, and 38 are sought to be canceled without disclaimer of or prejudice to the subject matter therein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to the Claims

In the Office Action, claim 29 and its corresponding dependent claims 30-34 were objected to because in the last limitation “ ‘...for the item that pass...’ should be ‘... for the item that passes...’.” Applicants have amended claim 29 as suggested by the Examiner. Reconsideration and withdrawal of the objection is therefore respectfully requested.

Rejections under 35 U.S.C. §101

Claims 1-12 and 16-38 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse this rejection.

Specifically, independent claims 1, 16, 29, 35, and 36 were rejected as lacking a tangible result. Independent claims 1, 29, 35, and 36 were amended to recite “transmitting the generated list to the user for presentation on a device.” Independent claim 16 was amended to recite “means for transmitting the generated list to a user for presentation on a device.” These independent claims recite a tangible result, e.g., transmitting the generated list to a user for presentation on a device. Reconsideration and withdrawal of this rejection is therefore respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 5-9, 12, 17, 29, 30, 33, and 35 were rejected under 35 U.S.C. §102(e) as being anticipated by Aggarwal, et al, U.S. Patent 6,487,539 (Aggarwal). Applicants respectfully traverse this rejection.

Aggarwal does not teach each and every element of Applicants’ amended independent claims 1, 29, or 35. In Aggarwal, a request for a recommendation is received from a customer. (Aggarwal, col. 4, lines 23-24). The recommendation system then determines the customer’s closest peer group and product buying behavior of the customers in that peer group to generate a potential set of recommendations. (Aggarwal, col. 4, lines 24-26). The generated set of recommendations is then filtered using certain rules corresponding to pre-specified domain knowledge. (Aggarwal, col. 4, lines 27-28). The filtered recommendations are then presented to a given user. (Aggarwal, col. 4, lines 28-29).

Aggarwal does not teach or suggest a method including “specifying an adaptable constraint to apply to recommendation requests, wherein the adaptable constraint includes a plurality of free variables defined by a user; receiving a plurality of values for

at least one of the plurality of free variables in the adaptable constraint; binding the received values to the corresponding free variable to update the adaptable constraint for future recommendation requests; receiving a recommendation request identifying at least one of the free variables in the adaptable constraint,” as recited in amended claim 1.

In addition, Aggarwal does not teach or suggest a method including “applying, for each recommendation request, a series of filters to each of the items, the series comprising a constraint filter and a recommendation filter for furnishing a predicted rating value, wherein the constraint filter is selected based on attributes associated with the recommendation request, wherein the constraint filter has a plurality of free variables defined by a user, and at least one free variable has a plurality of values defined by the user,” as recited in amended independent claim 29.

Furthermore, Aggarwal does not teach or suggest a method including “building a constraint to apply to recommendation requests using constraint forming rules, wherein the constraint includes a plurality of free variables defined by a user; receiving a plurality of values for at least one of the plurality of free variables in the constraint; binding the received values to the corresponding free variable to update the constraint for future recommendation requests ... receiving a recommendation request identifying at least one of the free variables in the adaptable constraint,” as recited in amended independent claim 35.

For at least these reasons, amended independent claims 1, 29, and 35 are patentable over Aggarwal. Claims 2, 5-9, and 12 depend from claim 1. Claims 30 and 33 depend from claim 29. For at least the above reasons, and further in view of their

own features, claims 2, 5-9, 12, 30, and 33 are patentable over Aggarwal.

Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Claim 17 (included in this rejection) depends from claim 16. Applicants address the patentability of claim 17 in conjunction with the patentability of independent claim 16.

Rejections under 35 U.S.C. § 103

Aggarwal and Valentin

Claims 16, 18, 20-24, 26-28, 36, and 38 were rejected under 35 U.S.C §103(a) as being unpatentable over Aggarwal in view of Valentin, et al, Canadian Patent 2,249,096 (Valentin). Applicants respectfully traverse this rejection.

As described above, Aggarwal does not teach or suggest an apparatus including “a constraint filter including at least one constraint having a plurality of free variables defined by a user, wherein at least one free variable has a plurality of values defined by the user” and “an input component configured to receive a recommendation request identifying at least one of the free variables in a constraint,” as recited in amended independent claim 16.

Aggarwal also does not teach or suggest a method including “building a constraint using constraint forming rules, wherein the constraint includes a plurality of free variables defined by a user; receiving a plurality of values for at least one of the plurality of free variables in the constraint; binding the received values to the corresponding free variable to update the constraint for future recommendation requests ... receiving a recommendation request identifying at least one of the free variables in the adaptable constraint,” as recited in amended independent claim 36.

Valentin does not overcome all the deficiencies of Aggarwal relative to amended independent claims 16 and 36, described above. For at least these reasons, amended independent claims 16 and 36 are patentable over the combination of Aggarwal and Valentin. Claims 17, 18, 20-24, and 26-28 depend from claim 16 and claim 38 was canceled by the above amended. For at least these reasons, and further in view of their own features, dependent claims 17, 18, 20-24, and 26-28 are patentable over the combination of Aggarwal and Valentin. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Claims 31 and 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Aggarwal as applied to claims 1, 2, 5-9, 12, 17, 29, 30, 33, and 35 and further in view of Valentin. Applicant respectfully traverses this rejection.

Claims 31 and 32 depend from claim 29. Valentin does not overcome all of the deficiencies of Aggarwal relative to claim 29, as described above. For at least these reasons, and further in view of their own features, claims 31 and 32 are patentable over the combination of Aggarwal and Valentin. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Aggarwal and Breese

Claims 3, 4, 10, 11, and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Aggarwal as applied to claims 1, 2, 5-9, 12, 17, 29, 30, 33, and 35, and further in view of Breese, et al, U.S. Patent No. 6,006,218 (Breese). Applicants respectfully traverse this rejection.

The subject matter of claim 4 has been incorporated into independent claims 1 and 29. Therefore, the above rejection is addressed for amended independent claims 1 and 29.

Breese does not overcome all of the deficiencies of Aggarwal regarding amended independent claims 1 and 29 described above. In Breese, input "relating to, e.g, the search to be performed, user attributes, user preferences and/or user's existing knowledge about items" is obtained via the user input device or from the Internet browser application. (Breese, col. 8, lines 15-27). These inputs are used by the search engine and/or knowledge probability estimator in the generation of recommendations for a user. (Breese, col. 8, line 62 - col. 9, line 57). The inputs used by Breese are fixed - a user has no control over defining which inputs are used in generating recommendations.

Thus, Breese also does not teach or suggest a method including "specifying an adaptable constraint to apply to recommendation requests, wherein the adaptable constraint includes a plurality of free variables defined by a user; receiving a plurality of values for at least one of the plurality of free variables in the adaptable constraint; binding the received values to the corresponding free variable to update the adaptable constraint for future recommendation requests; receiving a recommendation request identifying at least one of the free variables in the adaptable constraint," as recited in amended claim 1.

In addition, Breese does not teach or suggest a method including "applying, for each recommendation request, a series of filters to each of the items, the series comprising a constraint filter and a recommendation filter for furnishing a predicted rating value, wherein the constraint filter is selected based on attributes associated with

the recommendation request, wherein the constraint filter has a plurality of free variables defined by a user, and at least one free variable has a plurality of values defined by the user,” as recited in amended independent claim 29.

Therefore, the combination of Aggarwal and Breese does not teach or suggest each and every element of amended independent claims 1 and 29. Claims 3 and 10 depend from claim 1 and claim 34 depends from claim 29. For at least these reasons, and further in view of their own features, claims 3, 10, and 29 are also patentable over the combination of Aggarwal and Breese. Reconsideration and withdrawal of this rejection is therefore respectfully requested.

Aggarwal, Valentin and Breese

Claims 19, 25, and 37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Aggarwal, in view of Valentin as applied to claims 16, 18, 20-24, 26-28, 36, and 38, and further in view of Breese. Applicants respectfully traverse this rejection.

Claims 19 and 37 were canceled by the above amendment. Claim 25 depends from claim 16. Breese does not overcome the deficiencies of Aggarwal and Valentin relative to claim 16 described above. For at least these reasons, and further in view of its own features, claim 25 is patentable over the combination of Aggarwal, Valentin, and Breese.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be

withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Lori A. Gordon
Attorney for Applicants
Registration No. 50,633

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1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600